

8/9/76

STATE OF NEW HAMPSHIRE
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

REHEARING

In the Matter of
Bargaining Unit Determination,
University of New Hampshire System
RSA 273-A:8

CASE NO. U-0601

DECISION NO. 76-09

The Public Employee Labor Relations Board recognized the petitions for a rehearing in the matter of the bargaining unit determination for the University System, Case No. U-0601, dated May 26, 1976.

MOTIONS FOR RE-HEARING

Motion for rehearing on Librarians and Department Chairmen filed by Attorney Silas Little on behalf of the Board of Trustees, University of New Hampshire System under RSA Chapter 273-A, Section 14 and RSA Chapter 541, Section 3.

As grounds for this motion for rehearing, the Board of Trustees specified that the PELRB determination to include librarians and department chairmen in the bargaining units established for the University of New Hampshire, Keene State College, and Plymouth State College was unlawful and unreasonable.

Motion for rehearing on the exclusion of faculty at the Wheelock Laboratory School of Keene State College from the bargaining unit was filed by Attorney Jack B. Middleton on behalf of the New Hampshire Education Association on June 11, 1976.

As grounds for the motion for rehearing, the New Hampshire Education Association stated the teachers in the Wheelock Laboratory School were involved in teaching at the same level of teaching as other faculty at Keene State College; have always been considered to be Keene State College faculty; and, salary schedule, fringe benefits and qualifications are determined by Keene State College and not the local School District.

REHEARING

Rehearing was held on July 14, 1976 at 1:00 p.m., in Room 306 of the Legislative Office Building, North State Street, Concord, New Hampshire, at which time PELRB heard testimony from all parties relating to the subject matter, and further permitted ten days for the submission of any additional written evidence the petitioners might care to submit.

Additional information was submitted by the parties in appearance, oral and written testimony indicated over 90 percent of the funding for the Wheelock Laboratory School at Keene State College came from Keene Municipal Funds rather than State

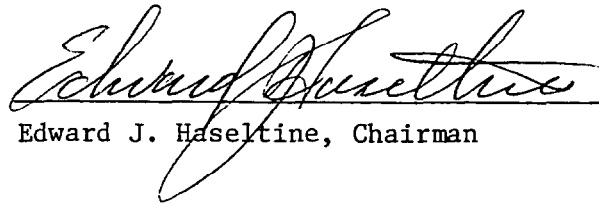
Funds; and, further that the Wheelock Laboratory School of Keene State College was an extension and part of the Keene School System.

Testimony was also heard from existing department chairmen at the colleges who had not previously testified at the original hearing.

Additional oral and written testimony concerning the matter of the librarians being included in the bargaining unit was heard and reviewed by the PELRB.

BOARD DECISION

After careful consideration of all the oral and written testimony offered at the rehearing on July 14, 1976 and additional material submitted during the ten-day period, the Public Employee Labor Relations Board meeting on August 5, 1976 in Executive Session reaffirms its decision of May 26, 1976, Case No. U-0601 without modifications.



Edward J. Haseltine, Chairman

Dated: August 9, 1976